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PART IV

Acts of the Dominion Legislature assented to by the Governor General

GOVERNMENT OF INDIA

MINISTRY OF LAW

New Delhi, the 14th April, 1949

The following Acts of the Dominion Legislature received the assent of the Governor-General on the 14th April, 1949 and are hereby published for general information:—

Act No. XIX of 1949.

An Act further to amend the Essential Supplies (Temporary Powers) Act, 1946.

WHEREAS it is expedient further to amend the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title.**—This Act may be called the Essential Supplies (Temporary Powers) Amendment Act, 1949.

2. **Amendment of section 7, Act XXIV of 1946.**—For clause (b) of the proviso to sub-section (1) of section 7 of the Essential Supplies (Temporary Powers) Act, 1946 (hereinafter referred to as the said Act), the following clause shall be substituted, namely:—

“(b) where the contravention is of an order relating to foodstuffs, the Court shall—

(i) sentence any person convicted of such contravention to imprisonment for a term which may extend to three years and may, in addition, impose a sentence of fine, unless for reasons to be recorded it is of opinion that a sentence of fine only will meet the ends of justice, and

(ii) direct that any property in respect of which the order has been contravened or a part thereof shall be forfeited to His Majesty, unless for reasons to be recorded it is of opinion that such direction is not necessary to be made in respect of the whole, or, as the case may be, a part of the property”.

3. Insertion of new section 7A in Act XXIV of 1946.—After section 7 of the said Act, the following new section shall be inserted, namely:—

“7A. *Forfeiture of certain property used in the commission of the offence.*—Whenever any offence relating to cotton textiles or foodstuffs which is punishable under sub-section (1) of section 7 has been committed, the Court may, if the order made under section 3 so provides, direct that the packages, coverings or receptacles in which any property liable to be forfeited under the said sub-section is found, and the animals, vehicles, vessels or other conveyances used in carrying the said property shall be forfeited to His Majesty:

Provided that no Court trying an offence under this Act shall declare any such package, covering, or receptacle or any such animal, vehicle, vessel or other conveyance forfeited to His Majesty, unless it is proved that the owner thereof knew that the offence was being, or was to be or was likely to be, committed.”

4. Repeal of Ordinance XXXI of 1948.—(1) The Essential Supplies (Temporary Powers) (Amendment) Ordinance, 1948 (XXXI of 1948), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in exercise of any power conferred by or under the said Ordinance shall be deemed to have been done or taken in exercise of the powers conferred by or under this Act as if this Act had come into force on the 8th day of November, 1948.

ACT No. XX OF 1949.

An Act to assimilate certain laws in force in different parts of the West Godavari District of the Province of Madras.

WHEREAS by virtue of the Madras Partially Excluded Area (Cesser) Order, 1948, made under section 91 of the Government of India Act, 1935, the area comprised in the villages specified in Article 2 of the said Order ceased, as from the 1st day of July, 1948, to be part of a partially excluded area in the West Godavari District of the Province of Madras;

AND WHEREAS it is expedient that the laws in force in the said area with respect to the matters enumerated in List I in the Seventh Schedule to the Government of India Act, 1935, should be assimilated to the laws in force with respect to the said matters in the rest of the said District;

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called the West Godavari District (Assimilation of Laws on Federal Subjects) Act, 1949.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. **Interpretation.**—In this Act—

(a) “appointed day” means the date appointed under sub-section (2) of section 1 for the coming into force of this Act;

(b) “Eluru Taluk” means the taluk of that name in the West Godavari District of the Province of Madras;

(c) "law" means any Act, Ordinance, Regulation, rule, order or bye-law, relating to any of the matters enumerated in List I in the Seventh Schedule to the Government of India Act, 1935; and

(d) "scheduled area" means the area comprised in the villages which are specified in the Schedule to this Act.

3. Assimilation of laws.—(1) All laws which immediately before the appointed day extend to, or are in force in, the Eluru Taluk, but not in the scheduled area, shall, as from that day, extend to, or as the case may be, come into force in, the scheduled area.

(2) All laws which immediately before the appointed day are in force in the scheduled area, but not in the Eluru Taluk, shall on that day cease to be in force in the scheduled area, except as respects things done or omitted to be done before that day.

4. Provision for removal of difficulties.—If any difficulty arises in relation to the transition from the laws mentioned in sub-section (2) of section 3 to the laws mentioned in sub-section (1) thereof, the Central Government may, by order notified in the Official Gazette, make such provision as it considers necessary for the removal of such difficulty.

THE SCHEDULE

[See section 2 (d)]

A. Villages in Polavaram Firka—

1. Gangole.
2. Dondapudi.
3. Sagipadu.
4. Karakapadu.
5. Mangiparthi Devipeta.
6. Kannapuram.
7. Mahadevapuram.
8. Dippakayalapadu.
9. Venkatayipalem.
10. Cherukumilli.
11. Ballipadu.
12. Pattisam.
13. Gutala.
14. Tadipudi (Gutala part).
15. Tadipudi (Pattisam part).
16. Ragolapalli (Gutala part).
17. Ragolapalli (Pattisam part).
18. Pochavaram.
19. Tupakulagudem.
20. Bayyavaram.
21. Venkatapuram.
22. Suggonda.

B. Villages in Zangareddigudem Firka—

1. Saripalli (Zamindari).
2. Zangareddigudem (Zamindari).
3. Vedantapuram (Inam).
4. Ramanujapuram (Inam).
5. Parimpudi.
6. Bayyangudem (Zamindari).
7. Akkampeta.
8. Sreenivasapuram (Inam).
9. Pullepudi (Inam).
10. Pattenapalem.

C. Villages in Joelugumilli Firka—

1. Mysenagudem.
2. Peddipalli.
3. Taduvayi.
4. Matanagudem.
5. Ayyavari (Polavaram) (Inam).

K. V. K. SUNDARAM,

Secy. to the Govt. of India.